

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

June 16, 2014

A. CALL TO ORDER

The June 16, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, Board President.

Deputy Carl Hurt of the DeSoto County Sheriff's Department was present and opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff Absent
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

Supervisor Lee Caldwell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. CITIZENS REMARKS & PRESENTATIONS

1. First Regional Library – Introduction: Mr. Ed Hughes, Director

Mr. Hughes thanked the Board for allowing him to appear to introduce himself and tell them a little about himself. Mr. Hughes said he has been on the job for eleven days and he is still learning. He said what drew him to First Regional Library is the great staff and it is a great library. He said anybody from anywhere would like working at the Library. He said other organizations in other places would be jealous. Mr. Hughes said he is from Wisconsin. He said he is happy to be here and working for a great library in a great community.

Supervisor Lee Caldwell thanked Mr. Hughes for coming before the Board to introduce himself. She said they look forward to getting to know him better.

2. Drainage Issues on Byhalia Road: Ms. Amy Allison

Ms. Allison said she has lived in DeSoto County for 20 years. She said we have a great Board of Supervisors, Police and Fire protection.

Ms. Allison said there is a severe drainage issue on Byhalia Road. She said she has pictures and they will show where water does cross the road and creates a hazard. Ms. Allison said she would like to see that fixed for the safety of the community. She said she has been working on this issue with the drainage commissioners since 2009.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to take this matter under advisement.

Road Manager Andy Swims said they have looked at it this week and several times in the past.

Supervisor Jessie Medlin said he is familiar with this issue and that the Road Department has worked on this several times. Supervisor Medlin said he thought it could be fixed by pouring concrete in the bottom of it. Ms. Allison said that would create an issue coming off of the road. Smaller culverts cannot handle water flow even though large culverts have been replaced. Supervisor Medlin said he thought the issue is across the street.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit D.2

3. Animal Control: Mr. Mark Thomas

Mr. Thomas said he has issues with the Animal Control. He asked what a person should do if they see an animal locked in a car. Mr. Thomas also asked what the public has to do to file a complaint against someone for a violation of the animal control ordinance.

Board Attorney Tony Nowak said there is a general provision about care and neglect of an animal in the ordinance which would cover the situation of an animal locked in a vehicle. He also advised that any person can file a complaint with Justice Court.

Mr. Thomas asked what the public has to do to file a complaint and where do you file it. Mr. Nowak said complaints could be filed at Justice Court. Mr. Thomas said it needs to be clearer for the public.

Supervisor Bill Russell said the Animal Control Officers and the Sheriff’s Deputies carry warrant books and the public does not have to go to Justice Court. The Sheriff’s citation can be handed out on site.

Mr. Thomas asked how to fill out a citation.

Mr. Nowak said 1) the Sheriff or Police Officers can issue a citation; 2) Animal Control, if deputized, can issue a citation; 3) Justice Court can issue a citation.

Mr. Nowak said the ordinance is written so that it does not distract from the process.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with Justice Court on citations relating to matters of Animal Control.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

E. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

Supervisor Lee Caldwell asked if there was anyone who wished to add or delete items to the Agenda.

- 1. Road Manager Andy Swims requested adding a purchase exceeding \$25,000 for culverts.

Mr. Swims said this is a 10 foot culvert that needs to be replaced at Bean Patch and College Road.

There is a significant sink hole and the pipe is separating in three locations.

Supervisor Mark Gardner said Mr. Swims originally thought the pipe could be repaired but after further investigation, realized it must be replaced.

Supervisor Jessie Medlin asked if the existing pipe is banded together. Mr. Swims said yes, but it has been there a long time and is an older culvert. Also, it needs to be larger.

Supervisor Gardner asked if the head walls needed to be expanded. Mr. Swims said yes but the wing walls are fine.

Supervisor Gardner said this is a heavily traveled section on College Road and it is not from Pleasant Hill Road. He said it needs to be repaired soon because it is a safety issue due to the sink holes and water has been over the road a few times.

Supervisor Medlin asked if Mr. Swims priced a concrete pipe. Mr. Swims said he looked at a concrete pipe and it was priced higher. He said there would be more life with a concrete pipe as opposed to an aluminum pipe. Mr. Swims said a dual box culvert would be approximately \$300,000.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve proceeding with the purchase of a culvert for replacement on College Road from G & O Supply Company, Inc., at a price of \$61,972.36.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.1

2. Chief Financial Officer requested adding late bills to the Agenda.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve late bills as follows:

- 1) North Miss. Driveways, Inc. –Road Department –Patch, level and overlay on Graves Road \$39,886.60 and patch and level on Ciba Road \$45,686.28.
Total \$85,572.88 Account Code 160-399-593.
- 2) Mississippi Department of Revenue - Sheriff Patrol – Payment for four tags for four new cars
\$48.00 Account code 001-202-682.
- 3) Mississippi Department of Revenue - Road Department – Payment for three tags for four new dump trucks - \$36.00 Account Code 156-300-682.
- 4) Bobby Holloway – District 4 Constable – Payment for travel expenses for the Constables Convention -
\$1,331.47 001-264-475 & 476

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit E.2

3. County Administrator Vanessa Lynchard said a clarification needed to be on the Consent Agenda-Item number F.8 as follows:

The only change in E911 Dispatch Committee is to replace Chris Olson with Fiodor Baraniuk as the EMS representative to the committee.

Ms. Lynchard recommended deleting the following items:

New Business – H.3.b TAP Projects Engineering Assistance

1) Interchange Improvements

2) Bike Trails and Connectors

New Business – H.3.c Parks and Greenways – DeSoto Greenways Update

Executive Session – J.2 Industrial Prospect

4. Board Attorney Tony Nowak requested moving item number J.4 - Termination of contract with Southaven Lady Tigers, LLC to open session.

After a brief discussion, Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve terminating the contract with the Southaven Lady Tigers, LLC.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

5. Parks and Greenways Coordinator Larry Jarrett said that item H.3.b that is being deleted needed to be voted on today to meet the Federal Highway deadline.

Supervisor Lee Caldwell said she spoke to Deputy Planner Tom Haysley and he said selection of a firm can be made in the first meeting in July.

The Board agreed to leave item H.3.b on the Agenda.

6. Environmental Services Manager Ray Laughter requested adding an enforcement item to potential litigation in Executive Session. This item was later determined to qualify for executive session.

7. Supervisor Jessie Medlin said he would like to know what county buildings have reserved parking spaces. He would like to see a list and why they are designated spaces.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to have Facilities Management to provide a list of reserved parking spaces at every county building and why each is marked reserved.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>NO</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve the Agenda with the additions, deletions and changes set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District

Supervisor Lee Caldwell, Fourth District

Supervisor Harvey Lee, Fifth District

YES

YES

YES

F. CONSENT AGENDA

The Board of Supervisors considered the following items on the meeting’s Consent Agenda.

County Administrator Vanessa Lynchard clarified that the only change in E911 Dispatch Committee is to replace Chris Olson with Fiodor Baraniuk as the EMS representative to the committee.

Supervisor Jessie Medlin said the EMS report does not match up as last month’s report. Ms. Lynchard said the last bill reflected months of catch up billing. She said it is never a percentage of the prior month but it is a percentage of actual money that comes in.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve the Consent Agenda as follows, including Fiodor Baraniuk replacing Chris Olson as the EMS representative to the committee:

1. Publication of Board Proceedings

2. Office of Finance & Accounting

a. Budget Amendments

b. Request for Transfer of Sheriff Seized Funds

The following seized funds listed have been forfeited by court order to be transferred from the seized account to the forfeiture account. Please approve the transfer of the funds.

Case #	Defendant	Date Seized	Receipt #	Amount	Date of Forfeiture
2014-14076	Gerome Bates	4/8/14	29041	\$ 1,800.00	5/13/14
2014-16728	Tawana Johnson	4/26/14	29103	\$10,672.00	5/28/14
2014-16213	Shannon Mathews	4/23/14	29097	\$ 8,221.00	5/29/14
2014-16213	Shannon Mathews	4/23/14	29097	\$ 2,000.00	5/29/14
2014-17821	Marquez Johnson	5/4/14	29127	\$ 305.00	6/5/14
2014-17521	Mary Isham	5/1/14	29123	\$ 130.00	
			TOTAL	\$23,128.00	

Transfer from: Sheriff-Seized Fund

(123-000-139) \$23,128.00

Transfer to: Sheriff-Forfeiture Fund

(120-000-238) \$23,128.00

c. Inventory Dispositions: Forfeitures, Preliminary/Final

1) Animal Shelter

ASSET #	G R A N T	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
39725		WHIRLPOOL CHEST FREEZER	EWV3634161	COMPRESSOR WENT OUT / NON REPAIRABLE DUE TO COST	08	6H	ANIMAL SHELTER	06.02.14	TONY MARTIN	MARTIN BROTHERS	06/16/14

2) Emergency Management Agency

ASSET #	G R A N T	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
39684		SONY CYBERSHOT CAMERA	638320	NO LONGER TAKES PICTURES / NON REPAIRABLE DUE TO COST	09	4H	INVENTORY CONTROL OFC	06/02/14	C MCCOOL	EWASTE
39123		MOTION COMPUTING LAPTOP	251337	DOES NOT POWER UP / NON REPAIRABLE DUE TO COST	07	28H	"	"	"	"

3) Sheriff’s Department

ASSET #	G R A N T	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION	DATE OF FINAL APPROVAL
36275		TASER GUN	P4010829	UNIT MALFUNCTIONS / NON- REPAIRABLE DUE TO COST	05	5H	SHERIFF DEPT	05/05/14	LESLEY LOFTON	SID DISPOSAL BIN	
33161		TASER GUN	P3176691	UNIT MALFUNCTIONS / NON- REPAIRABLE DUE TO COST	04	4H	SHERIFF DEPT	"	"	"	
41610		TOSHIBA TV	AM3980008567	UNIT WILL NO LONGER SHOW PICTURE- ONLY WHITE LINES / NON REPAIRABLE DUE TO COST	11	5H	SHERIFF DEPT	"	"	EWASTE	
		TV WAS DONATED TO THE DESOTO COUNTY SHERIFF DEPT 09/06/14 FROM SHELBY COUNTY									

3. Road Department: Old MS 304 – Turn Maintenance Over to City of Hernando Effective 7/1/2014

4. EMS Billing Report – May 2014

Desoto County EMS BILLING REPORT

May 2014

Number of ambulance runs billed: 139
Amount billed: \$48,828.00
Amount collected: \$26,101.95
Un-collectable amount: \$640.63

	Eudora	Lewisburg	Walls
Dispatched Calls:	90	87	67
Refusals:	33	23	19
Standby Only:	3	2	6
Billed:	48	58	39
Other:	6	4	3

Other = unable to locate patient, treated and transferred, treated and released, no treatment required, no patient found, dead at scene, cancelled and unknown.

April 2014

Number of ambulance runs billed: 121
Amount billed: \$42,356.00
Amount collected: \$39,192.67
Un-collectable amount: \$1,246.76

5. Road Department: Safety Report

6. Chancery Clerk Allowance (2) \$1,200.00 \$2,016.66

7. Office of Procurement: EMS EMA Appointment Updates

a. EMS Department – Add Fiodor Baraniuk as Requisition Clerk for the following budgets:

1) Ambulance Service: 001-240

2) State Emergency Management Operations FD: 113-240

3) Delta Trauma Care: 114-240

4) Ambulance Service: 380-240 (vehicles above \$5000)

b. Jamee Bradshaw will be added as EMS Receiving Clerk

c. Remove Lee Calvi as EMA Receiving Clerk

8. Appointment: E911 County Dispatch – EMS

County Administrator Vanessa Lynchard clarified that the only change in E911 Dispatch Committee is to replace Chris Olson with Fiodor Baraniuk as the EMS representative to the committee.

9. Contracts Administration – Auto Renew

a. USDA Lease Auto-Renew 1 year: 3260 Highway 51 South

b. Cintas Auto-Renew 1 year: Shredding Services Agreement for DHS Economic Assistance

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F

G. OLD BUSINESS

1. Public Meeting Update on Comcast Issues and Franchise Agreement Update

Supervisor Lee Caldwell said the public meeting was last Tuesday, June 10th.

Supervisor Mark Gardner said as the Board goes through the renewal phase of the Comcast Franchise Agreement, they thought this would be a good time to talk about service issues with Comcast. Supervisor Gardner said there was a consistent theme of service standards. He said he also heard more issues from people who could not attend the meeting. Supervisor Gardner said they need to send more letters and emails to Otha Brandon with Comcast and the big boss in Nashville. He said that his Mom had an issue with a Comcast cable lying across the ground and they are supposed to be out today to bury it.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to form a broadband committee to work on the franchise agreement and approved appointing Supervisor Bill Russell, Supervisor Mark Gardner, County Administrator Vanessa Lynchard and Board Attorney Tony Nowak to serve on the committee.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

2. Walls Water Request for Waterline Relocation and Assistance

Road Manager Andy Swims said the Board recently requested a summary of the remaining amount of

money budgeted for Hallum Estates drainage and repairs as follows:

Hallum Estates Construction Cost

County Inhouse Work:	6/20/2013	\$	2,698.43
	6/21/2013	\$	627.98
	6/24/2013	\$	6,714.24
	7/2/2013	\$	112.68
	8/8/2013	\$	102.68
	8/15/2013	\$	2,019.30
	8/21/2013	\$	2,391.45
	9/9/2013	\$	5,445.17
	9/16/2013	\$	165.22
	9/16/2013	\$	1,571.74
	9/17/2013	\$	9,981.80
	9/18/2013	\$	7,849.26
	9/20/2013	\$	787.96
	9/23/2013	\$	1,608.19
	10/2/2013	\$	11,400.31
	10/7/2013	\$	2,587.07
	10/3/2013	\$	115.40
	10/15/2013	\$	43.23
	10/22/2013	\$	458.25
	Subtotal:	\$	56,680.36
Cleveland Construction:		\$	16,475.00
Timber Appraisal:		\$	300.00
Payment to David Frassinelli:		\$	1,975.00
	Subtotal:	\$	18,750.00
Remaining:			
Estimated Construction Engineering:	\$	10,000.00	
Estimated Additional Rip Rap Cost:	\$	34,000.00	
Estimated Cost of Reseeding/Erosion Control:		\$2,600	
	Subtotal:	\$	46,600.00
<div>TOTAL: \$ 122,030.36</div>			

Budgeted:	\$	207,000.00
Horn Lake Creek Drainage District (HLCDD) to		
reimburse half up to \$100,000:	\$	61,015.18
Our Cost:	\$	61,015.18
Remaining in budget:	\$	45,984.82

Note: Spent \$17,000 for material cost on rip rap or \$34,000 to install

Hallum Estates Engineering Design Cost:

Paid to date:	\$40,000
HLCDD Agreed to Pay:	\$15,000
County Cost:	\$25,000

Mr. Swims said we have paid approximately \$74,000 to date on Hallum Estates Drainage Project and he expects to spend \$46,000 for remaining work. He said the total expected cost for the project is \$122,030.66 and it was budgeted at \$207,000. Mr. Swims said Hornlake Drainage District agreed to pay half of this cost up to \$100,000. Therefore, the county cost would be \$61,015.00.

Supervisor Harvey Lee asked if there is enough rock and seeds. Mr. Swims said he will need to add some.

Mr. Swims said there is \$45,984.82 remaining that could be used to contribute to the relocation of the waterline for Walls Water as discussed at the last board meeting.

Supervisor Lee Caldwell made the motion and Supervisor Mark Gardner seconded the motion to approve the recommendation of the Road Manager to contribute to the cost of the Walls Water waterline relocation not to exceed \$10,000.

The motion failed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>RECUSED</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>NO</u>

Later in the meeting, Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to reconsider the failed motion and vote regarding Walls Water request for waterline relocation and assistance.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>RECUSED</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve paying \$10,000 for the waterline relocation and Walls Water pay the remainder.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>RECUSED</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.2

3. Public Hearing: Environmental Services: Enforcement

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to open the Public Hearing regarding three matters of enforcement in the County.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

a. Environmental Services - Enforcement: PUBLIC HEARING

**Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105
9277 Stewart Rd Olive Branch, MS 38654 Parcel # 2 06 5 15 00 0 Lot 00016 00**

Supervisor Jessie Medlin made the motion and Supervisor Bill Russell seconded the motion to find that 9277 Stewart Rd Olive Branch, MS is now in a state of cleanliness; to approve the costs of \$200 incurred to clean the property; to assess the costs incurred as a lien against the property and to authorize the Board President to sign the required Board orders assessing the lien and such other necessary documents and to make the order and documents part of the Board's minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Harvey Lee, Fifth District YES

See Exhibit G.3.a

b. Environmental Services - Enforcement: PUBLIC HEARING

**Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105
7133 Stanley Drive Olive Branch, MS 38654 Parcel # 1 05 9 30 02 0 Lot 00020 00**

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to find that 7133 Stanley Drive Olive Branch, MS 38654 is now in a state of cleanliness; to approve the costs of \$1,290.00 incurred to clean the property; to assess the costs incurred as a lien against the property and to authorize the Board President to sign the required Board orders assessing the lien and such other necessary documents and to make the order and documents part of the Board's minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.3.b

c. Environmental Services - Enforcement: PUBLIC HEARING

**Assessment of Lien against Real Property pursuant to Mississippi Code Section 19-5-105
6615 Scenic Hollow Walls, MS 38680 Parcel # 1 09 7 35 01 0 Lot 00011 00**

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to find that 6615 Scenic Hollow Walls, MS 38680 is now in a state of cleanliness; to approve the costs of \$815.00 incurred to clean the property; to assess the costs incurred as a lien against the property and to authorize the Board President to sign the required Board orders assessing the lien and such other necessary documents and to make the order and documents part of the Board's minutes.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.3.c

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to close the Public Hearings.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

4. Legislative Salary Adjustments

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve paying the discretionary increase in salary to the Sheriff in the amount of \$10,000.00; to authorize a budget amendment to change the Sheriff's salary to \$99,000.00 to meet statutory increase, with the increase coming from the Sheriff's budget effective July 1, 2014, according to Mississippi

code section 25-3-25.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Bill Russell made the motion to allow a discretionary \$10,000 increase to the Sheriff coming from the Sheriff’s budget.

The motion failed for lack of a second.

See Exhibit G.4

5. Tax Exemption Revision-Teacher’s Insurance and Annuity Association of America: Add Kimberly Clark to Application Name and Board President to Sign

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to amend the name of the applicant to Teacher’s Insurance and Annuity Association of America; to add Kimberly Clark to the application and; to authorize the Board President to sign the documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.5

6. Coroners Cooler/Building Update

County Administrator Vanessa Lynchard said that they received quotes for the cooler for the Coroner’s office. It will cost approximately \$17,000 and it is in his budget. Coroner Jeffrey Pounders had budgeted \$25,000 for the work. He currently pays \$300 a month for rent and he does not want to give up that space. She said \$300 includes utilities and everything. Ms. Lynchard said Mr. Pounders is having real issues with funeral homes keeping bodies.

Ms. Lynchard said electrical repair including an air conditioner for the EMS building would cost approximately \$10,260. She said currently all of the medical records are kept in the training room and anyone can go in and look through files; training classes are also held in that room. Ms. Lynchard said that is a HIPPA violation and a liability to the county. Ms. Lynchard said it would cost approximately \$4,554 to enclose the room and use it only for filing and storage and use it as a records room. She said the money is not in the budget but it could come from ending cash.

Supervisor Jessie Medlin said he is concerned that Mr. Pounders is not moving to the EMA building with the cooler and that the rent is \$300 per month.

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve proceeding with enclosing the training room at the EMA building and use it for records storage at a cost of \$4,554; and to proceed with the electrical and repair work on the building at an approximate cost of \$10,260; and to approve necessary budget amendments for the work.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>

Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G.6

H. NEW BUSINESS

1. Justice Court – House Bill 585

County Administrator Vanessa Lynchard said she met County Attorney Craig Treadway and he is concerned about the impact of Bill 585 and how it would affect Justice Court.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to review House Bill 585 and provide a review of the possible impact on the county.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

2. Tax Exemptions 10:30 a.m.

Jim Flanagan, President and CEO of the DeSoto County Economic Development Council said there are five companies appearing before the Board of Supervisors requesting tax exemptions as follows:

a. Tri-Starr Management Services, Inc.: Personal Property Exemption 10 years

Attorney Mark Aquadro and Tri-Starr Management Facility Manager Craig Scaling appeared before the Board requesting a personal property tax exemption for 10 years. Mr. Aquadro said they are a supply chain service. He said they share the building with Milestone Medical. Tri-Starr is a logistics provider specializing in warehousing and transportation.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve a 10 year personal property tax exemption for Tri-Starr Management Services dba LEGACY Supply Chain Services as detailed in Exhibit H.2.a

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2.a

b. J. Strickland & Co.: Personal Property Exemption 5 years

Mr. Flanagan introduced Mr. James McElroy with J. Strickland & Company. He said they are the largest distribution center in DeSoto County.

Mr. McElroy said they are expanding their warehouse and have been in existence since 1936. He said they were bought in an acquisition of \$20 million last year.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve a 5 year personal property tax exemption for Strickland & Company as detailed in Exhibit H.2.b.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2.b

c. Kaz USA Inc.: Real and Personal Property Exemption 10 years

Mr. Flanagan introduced Attorney Jennifer Brunetti and General Manager of Kaz USA Jason Kelley. Ms. Brunetti said they appeared before the Board in December for a Freeport warehouse tax exemption. She said today, they are initiating the process for a 10 year real and personal property tax exemption.

Mr. Kelley said that Helen of Troy in Southaven is expanding to Olive Branch.

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve a 10 year real and personal property tax exemption for Kaz USA Inc. as detailed in Exhibit H.2.c.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2.c

d. Williams Sonoma Direct, Inc.: Personal Property Exemption 5 years

Mr. Aquadro said Williams Sonoma has done a \$7 million expansion this year and they are still expanding. Mr. Jeff Thomas and Mr. Eric Marsiglia appeared representing Williams Sonoma.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve a 5 year personal property tax exemption for Williams Sonoma as detailed in Exhibit H.2.d.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2.d

e. FedEx Ground Package System: Real Property 10 years & Personal Property 5 years

Mr. Flanagan asked the Board's permission to represent FedEx Ground Package System. He said the percentage of employees who live in DeSoto County is very good and they do a good job of recruiting in the county. FedEx also provides a very good comprehensive benefit package to its employees.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve a 10 year real property tax exemption and a 5 year personal property tax exemption for FedEx Ground Package System as detailed in Exhibit H.2.e.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.2.e

3. Parks and Greenways

a. DeSoto County Recreational District - Johnson Creek Greenway: Authorization to hire Engineer

b. Projects Engineering Assistance

1) Interchange Improvements

2) Bike Trails and Connectors

Supervisor Lee Caldwell made the motion and Supervisor Bill Russell seconded the motion to approve hiring Waggoner Engineering for assistance for the TAP Projects including Interchange Improvements and Bike Trail Connectors; with the county portion of 20% in-kind match and additional funding coming from County Greenways.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

c. DeSoto Greenways Update – This item was removed from the Agenda.

4. Environmental Services – Solid Waste: Proposed Pricing for Class I MSW Disposal (Residential Garbage)

Environmental Services Manager Ray Laughter said this is the annual increase based on CPI disposal only. Mr. Laughter said the request is for a price increase as follows:

*Current rate plus \$1.25 State surcharge: \$20.30, effective October 1, 2014
(\$18.62 x 2.3% = \$19.05
*\$19.05 + \$1.25= \$20.30

Mr. Laughter said he and Jim McNaughton reviewed and there will be a .43 increase per ton in next year's budget.

Supervisor Harvey Lee made the motion and Supervisor Bill Russell seconded the motion to approve the proposed pricing for Class I MSW Disposal (Residential Garbage) – Republic Services/BFI/Allied Waste to \$20.30 effective October 1, 2014 as the same is consistent with the contract for service.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.4

5. Office of Finance and Accounting

a. Inventory Control: Restricted Donation & Preliminary Dispositions

1) Sheriff’s Department – SID/SWAT: Restricted donation from Red River Army Depot

This item was held over.

2) Chancery Land

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the preliminary disposition for Chancery Land Records as follows:

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
38166		XEROX DOCUMATE 252 SCANNER	710TW107395L1300120	ROLLERS WORN OUT / NON REPLACEABLE	07	8H	CHANCERY STORAGE RM	06/15/14
41813		XEROX DOCUMATE 252 SCANNER	14P8CB0312	ROLLERS WORN OUT / NON REPLACEABLE	11	1K	"	"

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District

Supervisor Mark Gardner, Second District

Supervisor Bill Russell, Third District

Supervisor Lee Caldwell, Fourth District

Supervisor Harvey Lee, Fifth District

YES

YES

YES

YES

YES

See Exhibit H.5.a.2

3) Facilities Management

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve the preliminary disposition for Facilities Management as follows:

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	YR ACQ	COST	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
39700		EMERSON TV	J18557030	WILL NOT POWER UP / NON REPAIRABLE DUE TO COST	08	5H	OLD JAIL	06/16/14
42670		HITEKER TV	H089022 HT009037	BROKEN SCREEN / NON REPAIRABLE DUE TO COST	13	3H	JAIL COMPLEX	"
42666		HITEKER TV	H089022 HT009014	WILL NOT POWER UP / NON REPAIRABLE DUE TO COST	13	3H	JAIL COMPLEX	"
36608		GOODMAN A/C	0503729012	COMPRESS WENT OUT / NON REPAIRABLE DUE TO COST	05	9H	OB HEALTH DEPT	"

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District

Supervisor Mark Gardner, Second District

Supervisor Bill Russell, Third District

Supervisor Lee Caldwell, Fourth District

Supervisor Harvey Lee, Fifth District

YES

YES

YES

YES

YES

See Exhibit H.5.a.3

Supervisor Lee Caldwell made the motion and Supervisor Lee Bill Russell seconded the motion to approve the preliminary disposition for IT Department # 1 and # 2 as follows:

4) IT Department #1

ASSET #	G R A N T	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
32618		SAMSUNG 17" MONITOR	GH17H9NW700744	bad back light	03	5H	IT Disposal
33411		DELL 18" FP MONITOR	MX07R477483233AF90UJ	lines on screen	03	5H	IT Disposal
33554		LEXMARK LASER PRINTER	991RWN9	bad fuser	04	16H	IT Disposal
34102		HP ALL IN ONE INKJET PRINTER	CN4B2C10FH	bad printhead	05	1H	IT Disposal
34642		HP LASERJET PRINTER/TRAFFIC	CNB1902644	Fuser Burned	06	1H	IT Disposal
34754		Cannon Scanner	DF305795	will not feed	05	3K	IT Disposal
35020		ACER 19" MONITOR	ETL800C0507080087C4030	power supply bad	07	2H	IT Disposal
35151		PRINCETON 19" MNTR - STORAGE	WCCE1801823	will not power on	04	6H	IT Disposal
36170		HP ALL IN ONE INKJET PRINTER	CN489B40FP	Inkjet printer	05	1H	IT Disposal
36520		LEXMARK PRINTER	992K9ZT	jams on checks	05	2K	IT Disposal
36540		PRINCETON 19" MONITOR	WCCE3901445	line across screen	05	3H	IT Disposal
36552		HP PRINTER COMBO /STANFORD	CN46UB21C9	Inkjet printer	05	1H	IT Disposal
36613		VIEWSONIC 17" FLAT PANEL	A2X0520A4070	bad back light	05	3H	IT Disposal
37043		ACER POWER PC	PSP3006008619024192701	bad motherboard	06	6H	IT Disposal
37113		FUJITSU SCANNER	000908	broken	06	6H	IT Disposal
37126		ACERPOWER ACER COMPUTER /ALLEN	PSP37060046420A1DC2702	power supply bad	07	5H	IT Disposal
38029		TRIPP LITE UPS BACKUP - DISPOSAL	9529BY0BC48690011	inverter bad not repairable	07	21H	IT Disposal
38092		SAMSUNG 22 IN MONITOR	DP22HCXP400264	line across screen	07	3H	IT Disposal
38100		SAMSUNG 19 LCD/MALLORY	WJ19H9FP900756E	will power on	07	3H	IT Disposal
38406		ACER PC	PSV5406004749B582701	bad powersupply	08	3H	IT Disposal
38441		ACER MINITOWER PC	PSV54060048030705F2701	motherboard bad	08	3H	IT Disposal

5) IT Department #2

ASSET #	G R A N T	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
32618		SAMSUNG 17" MONITOR	GH17H9NW700744	bad back light	03	5H	IT Disposal
33411		DELL 18" FP MONITOR	MX07R477483233AF90UJ	lines on screen	03	5H	IT Disposal
33554		LEXMARK LASER PRINTER	991RWN9	bad fuser	04	16H	IT Disposal
34102		HP ALL IN ONE INKJET PRINTER	CN4B2C10FH	bad printhead	05	1H	IT Disposal
34642		HP LASERJET PRINTER/TRAFFIC	CNB1902644	Fuser Burned	06	1H	IT Disposal
34754		Cannon Scanner	DF305795	will not feed	05	3K	IT Disposal
35020		ACER 19" MONITOR	ETL800C0507080087C4030	power supply bad	07	2H	IT Disposal
35151		PRINCETON 19" MNTR - STORAGE	WCCE1801823	will not power on	04	6H	IT Disposal
36170		HP ALL IN ONE INKJET PRINTER	CN489B40FP	Inkjet printer	05	1H	IT Disposal
36520		LEXMARK PRINTER	992K9ZT	jams on checks	05	2K	IT Disposal
36540		PRINCETON 19" MONITOR	WCCE3901445	line across screen	05	3H	IT Disposal
36552		HP PRINTER COMBO /STANFORD	CN46UB21C9	Inkjet printer	05	1H	IT Disposal
36613		VIEWSONIC 17" FLAT PANEL	A2X0520A4070	bad back light	05	3H	IT Disposal
37043		ACER POWER PC	PSP3006008619024192701	bad motherboard	06	6H	IT Disposal
37113		FUJITSU SCANNER	000908	broken	06	6H	IT Disposal
37126		ACERPOWER ACER COMPUTER /ALLEN	PSP37060046420A1DC2702	power supply bad	07	5H	IT Disposal
38029		TRIPP LITE UPS BACKUP - DISPOSAL	9529BY0BC48690011	inverter bad not repairable	07	21H	IT Disposal
38092		SAMSUNG 22 IN MONITOR	DP22HCXP400264	line across screen	07	3H	IT Disposal
38100		SAMSUNG 19 LCD/MALLORY	WJ19H9FP900756E	will power on	07	3H	IT Disposal
38406		ACER PC	PSV5406004749B582701	bad powersupply	08	3H	IT Disposal
38441		ACER MINITOWER PC	PSV54060048030705F2701	motherboard bad	08	3H	IT Disposal

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
6088		IBM PRINTER	01E5085	not compatible with network	95	5H	IT Disposal
31008		INACOM SERVER RACK	N/A	not cmpatible with equipment	01	13H	IT Disposal
32629		HP COMPAQ D330 COMPUTER	USU3320LNM	does not power up	03	9H	IT Disposal
34103		HP ALL IN ONE DESKJET PRINTER	CN4B2C10FB	bad print head	05	1H	IT Disposal
35697		DELL 4700 PC	FBWRQ61	will not boot	05	3H	IT Disposal
36172		HP ALL IN ONE INKJET PRINTER	CN4APC1153	will not feed paper	05	1H	IT Disposal
36526		LEXMARK E234 PRINTER DISPOSAL	720ZTZX	will not power on	05	2H	IT Disposal
36540		PRINCETON 19" MONITOR	WCCE3901445	will not turn on	05	3H	IT Disposal
38124		ACER TOWER PC	PSP3706003725164EA2703	processor bad	07	5H	IT Disposal
38481		ACER PC	PSV5406004812093442701	bad hard drive	08	3H	IT Disposal
38887		ULTRA PC	N/A	bad power supply	09	6H	IT Disposal
38889		TFT 25" Monitor	912MY1NA01277	image burned into screen	09	2H	IT Disposal
39142		APC UPS RACKMOUNT	PS0737232461	will not power on	08	17H	IT Disposal
39955		DELL OPTIPLEX	4CW3CK1	will not boot	09	7H	IT Disposal
40999		DELL OPTIPLEX	BDRMBP1	bad hard drive	11	3H	IT Disposal
41109		SAMSUNG LASER PRNTR	4F61BKDZ500118H	broken feed tray	10	2H	IT Disposal
41139		DELL 20"FP MONITOR	MX-OG324H-74262-OAB-1PHL	lines in screen	10	4H	IT Disposal
41868		Dell 18" Monitor	CN0X6M0J7287216I24LS	will not power on	11	1H	IT Disposal
42438		DELL E6400 LAPTOP	5R29HM1	got wet will not power on	12	4H	IT Disposal
42716		DELL 745 OPTIPLEX	8N75ZC1	processor bad	12	2H	IT Disposal
730042		IBM 6400 PRINTER	01E5067	not compatible with network	98	66H	IT Disposal

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.5.a.4.5

6) Sheriff’s Department

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to approve the preliminary disposition for the Sheriff’s Department as follows:

ASSET #	GRANT	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE
8276		HANDHELD RADIO	466AVA1332	OLD UNIT/NON REPAIRABLE DUE TO COST	94	16H	DCSO	06/16/14
8047		HANDHELD RADIO	466ATV1333	OLD UNIT/NON REPAIRABLE DUE TO COST	99	14H	DCSO	"
33164		TASER	X00005750	MALFUNCTIONING/ NON REPAIRABLE	04	4H	DCSO	"
40550		VIZIO TV	LAUKEADL0903439	SCREEN IS BROKEN/ NON REPAIRABLE DUE TO COST	10	4H	DCSO	"

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.5.a.6

b. Bar E Ranchettes Subdivision Bond

Chief Financial Officer Tom Arnold said the Bar “E” Ranchettes subdivision road bond was pulled to complete the final lift of asphalt and clean out the ditches. The bond amount is \$179,550 and the total cost of the work is \$129,105.64 leaving a remaining balance of \$50,444.36 to be refunded to the Bank. The Board discussed possibilities for the county keeping the money and said it needed to be looked into.

Supervisor Harvey Lee made the motion and Supervisor Lee Caldwell seconded the motion to approve to refunding the balance of the bond in the amount of \$50.444.36 to the developers estate and to hire the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to look into the county keeping bond monies in the future for maintenance of roads in the subdivisions.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.5.b

c. Claims Docket

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

The Board of Supervisors discussed the following requests for payment:

Supervisor Jessie Medlin asked about the claim on page 7. He asked if the county can be reimbursed for Scott Trapolino’s trip to Louisville to help during the Tornado. County Administrator Vanessa Lynchard said the other claim on that page for Mr. Trapolino was for going back to the coast for training.

Supervisor Mark Gardner asked about the same claim on page 7. Mr. Arnold said it is for tuition reimbursement.

Supervisor Gardner asked about the claim on page 72 for non-hazardous fee for solid waste. Mr. Arnold said rubbish that goes into the rubbish pit is measured by the yard. Environmental Services Manager Ray Laughter said the fee is \$1.00 per yard.

Supervisor Harvey Lee said the claim on page 56 is for Environmetal Services Manager to attend the Environmetal Seminar.

Supervisor Gardner asked about the claim on page 16 for Next Step Innovation. Mr. Arnold said this is for the maintenance agreement for the firewall for the system.

Supervisor Gardner asked about page 17 for Black Box Network. Mr. Arnold said this is for the Shoretel phone system for the county. He said they are adding lines phone lines and phone switching equipment.

Supervisor Gardner asked about the claim on page 61. Mr. Arnold said citizens put up a deposit for using county facilities and this event was cancelled so we are refunding the deposit.

Supervisor Gardner asked about the claim on page 65. Mr. Arnold said these are refund fees.

Supervisor Gardner asked about the claim on page 81 to Lehman Roberts and asked if it for several paving projects. Mr. Arnold said yes. County Assistant Engineer Scott Young confirmed that this has been reviewed.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

6. Contract Administration

a. Securus Technologies: Amendment to add Continuous Voice Verification

Chad Wicker of the Sheriff’s Department said this contract will enhance the phone system for the inmates and is no cost the county.

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the agreement with Securus Technologies for continuous voice verification on the phone system for inmates at no cost to the county.

The motion passed by a vote as follows:

Supervisor Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.6.a

b. Lehman Roberts: Hot Asphalt Overlay

Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to approve the contract with Lehman Roberts, County Project No. 14-156-023 for hot asphalt overlay as fully described in Exhibit H.1.b and to make it part of the minutes.

The motion passed by a vote as follows:

Supervisor Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.6.b

7. Road Department

a. Request to make offer to City of Olive Branch for Jet/Vac Truck

Road Manager Andy Swims said the City of Olive Branch wants to sell a 2002 Jet/Vac truck and asked if the Road Department is interested in purchasing it. Mr. Swims said they tested the truck on several drainage culverts and he believes it would be an advantage in maintaining culverts throughout the county. Mr. Swims said it has a blower to blow out culverts and also has a 3,000 gallon tank for vacuuming. When you blow out a culvert you could then vacuum it up. Mr. Swims said it must be stored indoors and Bobby Storey said it could be stored at their facility. He said the maintenance history was lost during a computer crash a few years ago. Mr. Swims said Olive Branch is asking \$70,000 and he thinks it is a reasonable offer. He said Olive Branch wants to sell it because they have purchased a new one.

Supervisor Medlin said the fire departments are upgrading so wouldn't would be better to get a tanker from them. Mr. Swims said he could look into it. He said they would use it to clean 24-30 inch culverts in diameter and the hose is 500 feet long. This one has a much longer hose and is heavier duty. Supervisor Medlin said he is worried about maintenance in the future. Mr. Swims said he met with Olive Branch maintenance and he said this truck is simpler than a new one. Olive Branch offered to send their people to train our people on how to use the truck and how to maintain it as well.

Supervisor Bill Russell said he knows they need better equipment but he wondered if this is a little too much for what we need. He asked if they could get a cheaper one without the vacuum. Mr. Swims said he did not know.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve Road Manager Andy Swims to make an offer to the City of Olive Branch in the amount of \$50,000 for the purchase of a 2002 Vac-Con Jet/Vac Truck.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.7.a

b. Finding of Fact – 7881 Tucker Drive, Walls – Ranch Meadows Subdivision

Supervisor Bill Russell made the motion and Supervisor Harvey Lee seconded the motion to accept the finding of fact at 7881 Tucker Drive, Walls, Ranch Meadows Subdivision where poor drainage is adversely affecting the health, safety and welfare of the citizens of DeSoto County in accordance with Mississippi code section 19-5-92, that it would be necessary to repair a leak in the storm drain at an estimated cost of \$5,184, and to authorize the Road Manager to proceed with the work.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>NO</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.7.b

I. PLANNING COMMISSION AGENDA

**DESOTO COUNTY BOARD OF SUPERVISORS
ORDER OF ITEMS
June 16, 2014
11:00 a.m.**

1. NEW BUSINESS

Supervisor Medlin made a Motion to open the Public Hearing for an Appeal of Board of Adjustment Decision. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

i. PUBLIC HEARING (11:00 AM)

- a. **Appeal of Board of Adjustment Decision - Unified Waste Systems, LLC (Conditional Use 1444) – The DeSoto County Board of Supervisors will consider appeals by Mr. Rory Reardon, Leatherman Family Land Partnership, Irwin Company, Austin Family Properties, L.P. and Mary Monteith to overturn the action of the Board of Adjustment and deny the application by Unified Waste Systems, LLC for a Conditional Use (1444) to allow a sanitary land fill for 10 years. Subject property is at 9353 Starlanding Road, on the south side of Starlanding Road and east of Wilson Mill Road, Parcel #2095210000000401 in Section 21, Township 2, Range 9 and is zoned Agricultural (A). (District 3)**

Mr. Haysley presented the appeal by Mr. Rory Reardon, Leatherman Family Land Partnership, Irwin Company, Austin Family Properties, L.P. and Mary Monteith to overturn the action of the Board of Adjustment and deny the application by Unified Waste Systems, LLC for a Conditional Use (1444) to allow a sanitary land fill for 10 years.

Supervisor Caldwell asked if there was anyone to speak for or against this application. There was no one.

Supervisor Gardner stated he has been asked by some of the concerned neighbors to continue this item so that they are able to attend the hearing.

Supervisor Gardner made a Motion to continue this item until July 7, 2014. Supervisor Caldwell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Supervisor Lee made a Motion to continue the Public Hearing for an Appeal of a Board of Adjustment Decision. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

ii. CONSENT

- a. **Davis & Murphy Minor Lot (6936) – Application is for final subdivision approval of one (1) lot of 3.0 acres and one (1) lot of 1.11 acres identified as Parcel #3-06-1-01-00-0-00014-00 and Parcel #3-06-1-01-00-0-00001-00. Subject property is located on the north side of Byhalia Road and west of Old Byhalia Road in Section 1, Township 3, Range 6 and is zoned Agricultural (A). (District 1)**
- b. **Ferguson Farms Minor Lot (6937) – Application is for final subdivision approval of one (1) lot of 1.0 acres and one (1) lot of 13.92 acres identified as Parcel #2-06-8-28-00-0-00011-00. Subject property is located on the east side of Ross Road and south of Bethel Road in Section 28, Township 2, Range 6 and is zoned Agricultural-Residential (A-R). (District 5)**

Mr. Haysley presented the Consent Agenda.

Supervisor Medlin asked if the Davis and Murphy Minor Lot have access to public water. Mr. Haysley stated it did not.

Supervisor Medlin made a Motion to approve the Consent Agenda items. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

iii. **FINAL SUBDIVISION**

- a. **Robinson Crossing, Phase 3 (6930) – Application is for approval of final subdivision of 51 lots on 25.6 acres of property, identified as Parcels #2-07-1-11-00-0-00002-00. Subject property is located on the south side of Church Rd. and east of Malone Rd. in Section 11, Township 7, Range 6 and is zoned PUD. (District 2)**

Mr. Haysley presented the application for Robinson Crossing, Phase 3 for approval of final subdivision of 51 lots on 25.6 acres of property. He stated the Planning Commission recommended approval of this item.

Supervisor Medlin asked if the 2 lots being added are to this phase, but not the number of lots in the total development. Mr. Haysley stated the number of lots in the development will not increase, only the number of lots in this phase.

Supervisor Russell asked if there will be an HOA and covenants for this phase. Mr. Haysley stated phase 3 will be added to the HOA of phases 1 and 2 and the covenants for Phase 3 will be the same as the covenants for phases 1 and 2.

Supervisor Gardner made a Motion to approve the Robinson Crossing, Phase 3. Supervisor Lee seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

Supervisor Gardner stated he spoke with the developer for Robinson Crossing, Phase 3 about possibly putting a separate construction drive into Phase 3 so that repairs made to Malone Road will not be damaged due to construction and gravel trucks.

Supervisor Russell asked if the flood plain issues were being addressed in Robinson Crossing, Phase 3. Mr. Haysley stated the applicant will have to comply with the Flood Ordinance. Mr. Ted Garrod stated the developer will file a LOMR-F.

J. EXECUTIVE SESSION

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

Supervisor Jessie Medlin made the motion to adjourn the Board meeting until July 7, 2014 at 9:00 a.m. The motion was seconded by Supervisor Mark Gardner.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

THIS the 16th day of June, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors